

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA STATE CONFERENCE )  
OF THE NAACP, *et al.*, )

Plaintiffs, )

v. )

1:13CV658

PATRICK LLOYD MCCRORY, in his official )  
capacity as Governor of North Carolina, *et al.*, )

Defendants. )

**MOTION TO QUASH SUBPOENAS  
TO STATE LEGISLATORS**

**NOW COME** Senator Phil Berger, Senator Tom Apodaca, Senator Thom Goolsby, Senator Ralph Hise, Senator Bob Rucho, Representative Thom Tillis, Representative James Boles, Jr., Representative David Lewis, Representative Tim Moore, Representative Tom Murry, Representative Larry Pittman, Representative Ruth Samuelson and Representative Harry Warren (collectively “the legislative movants”), by and through undersigned counsel, and hereby move to quash the subpoenas served on them by plaintiffs in the above-captioned action on the grounds that each of the legislative movants is entitled to legislative immunity, and for reasons more fully set forth in the accompanying Memorandum in support of this motion, which is filed contemporaneously

herewith and incorporated herein by reference as though fully set forth. Copies of the subpoenas that are the subject of this motion are attached hereto as Exhibits 1 – 13.

**WHEREFORE**, the legislative movants respectfully pray that the Court quash the subpoenas served on them by plaintiffs.

This the 20<sup>th</sup> day of January, 2014.

ROY COOPER  
ATTORNEY GENERAL OF NORTH  
CAROLINA

By: /s/ Alexander McC. Peters  
Alexander McC. Peters  
Senior Deputy Attorney General  
N.C. State Bar No. 13654  
apeters@ncdoj.gov  
N.C. Department of Justice  
P.O. Box 629  
Raleigh, NC 27602  
Telephone: (919) 716-6900  
Facsimile: (919) 716-6763

*Counsel for Defendants North Carolina and  
State Board of Election Defendants and for the  
Legislative Movants*

OGLETREE, DEAKINS, NASH  
SMOAK & STEWART, P.C.

/s/ Thomas A. Farr  
Thomas A. Farr  
N.C. State Bar No. 10871  
Phillip J. Strach  
N.C. State Bar No. 29456  
thomas.farr@ogletreedeakins.com  
phil.stach@ogletreedeakins.com  
4208 Six Forks Road, Suite 1100  
Raleigh, North Carolina 27609  
Telephone: (919) 787-9700  
Facsimile: (919) 783-9412  
*Co-counsel for Defendants North Carolina  
and State Board of Election Defendants and  
for the Legislative Movants*

### **CERTIFICATE OF SERVICE**

I, Thomas A. Farr, hereby certify that I have this day electronically filed the foregoing **MEMORANDUM IN SUPPORT OF MOTION TO QUASH SUBPOENAS TO STATE LEGISLATORS** with the Clerk of Court using the CM/ECF system which will provide electronic notification of the same to the following:

#### ***Counsel for United States of America:***

John A. Russ IV  
Catherine Meza  
David G. Cooper  
Spencer R. Fisher  
Elizabeth M. Ryan  
Attorneys, Voting Section  
Civil Rights Division  
U.S. Department of Justice  
Room 7254-NWB  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Gill P. Beck  
Special Assistant United States Attorney  
Office of the United States Attorney  
United States Courthouse  
100 Otis Street  
Asheville, NC 28801

#### ***Counsel for NCAAP Plaintiffs:***

Penda D. Hair  
Edward A. Hailes, Jr.  
Denise D. Liberman  
Donita Judge  
Caitlin Swain  
ADVANCEMENT PROJECT  
Suite 850  
1220 L Street, N.W.  
Washington, DC 20005  
phair@advancementproject.com

Irving Joyner  
P.O. Box 374  
Cary, NC 27512

Adam Stein  
TIN FULTON WALKER & OWEN  
312 West Franklin Street  
Chapel Hill, NC 27516  
astein@tinfulton.com

Thomas D. Yannucci  
Daniel T. Donovan  
Susan M. Davies  
K. Winn Allen  
Uzoma Nkwonta  
Kim Knudson  
Anne Dechter  
KIRKLAND & ELLIS LLP

ijoyner@nccu.edu

655 Fifteenth St., N.W.  
Washington, DC 20005  
tyannucci@kirkland.com

***Counsel for League of Women Voter  
Plaintiffs:***

Anita S. Earls  
Allison J. Riggs  
Clare R. Barnett  
Southern Coalition for Social Justice  
1415 Hwy. 54, Suite 101  
Durham, NC 27707  
anita@southerncoalition.org

Dale Ho  
ACLU Voting Rights Project  
125 Broad Street  
New York, NY 10004  
dale.ho@aclu.org

Laughlin McDonald  
ACLU Voting Rights Project  
2700 International Tower  
229 Peachtree Street, NE  
Atlanta, GA 30303  
lmcdonald@aclu.org

Christopher Brook  
ACLU of North Carolina Legal Foundation  
PO Box 28004  
Raleigh, NC 27611-8004  
cbrook@acluofnc.org

***Counsel for Defendant Governor Patrick L. McCrory***

Karl S. Bowers, Jr.  
BOWERS LAW OFFICE LLC  
P.O. Box 50549  
Columbia, SC 29250  
butch@butchbowers.com

Robert C. Stephens  
General Counsel  
Office of the Governor of North Carolina  
20301 Mail Service Center  
Raleigh, North Carolina 27699  
bob.stephens@nc.gov

This, the 20<sup>th</sup> day of January, 2014.

OGLETREE, DEAKINS, NASH  
SMOAK & STEWART, P.C.

/s/ Thomas A. Farr

Thomas A. Farr

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